



LAWS OF ALASKA

1998

Source
HB 467 am S

Chapter No.
22

AN ACT

Relating to employees of the legislature who are employed under a personal services contract.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: May 1, 1998
Actual Effective Date: July 30, 1998

AN ACT

1 Relating to employees of the legislature who are employed under a personal services contract.

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3 * **Section 1.** LEGISLATIVE INTENT. It is the intent of this Act to increase the flexibility
4 available to the legislature so that legislative employment will be attractive to individuals who
5 do not desire coverage under a state retirement system as part of their compensation package.
6 This Act is not intended to undermine the compensation levels available to most legislative
7 employees, which, under AS 24.10.060(c), include membership in the public employees'
8 retirement system.

9 * **Sec. 2.** AS 24.10.060 is amended by adding a new subsection to read:

10 (f) An employee of the legislative branch of state government who is
11 employed under a personal services contract is not entitled to membership in the public
12 employees' retirement system (AS 39.35) for employment under the contract. The
13 employee shall be compensated under the state salary schedule set out in

Chapter 22

1 AS 39.27.011(a). The employee is entitled to receive leave benefits and employee
2 health coverage unless the personal services contract provides to the contrary.

3 * Sec. 3. AS 39.30.090(b)(1) is amended to read:

4 (1) "eligible employee" means

5 (A) an employee who has served in permanent full-time or part-
6 time employment with the same governmental unit for 30 days or more, except
7 an emergency or temporary employee; [, AND]

8 (B) an elected or appointed official of a governmental unit,
9 effective upon taking the oath of office; and

10 (C) a contractual employee of the legislative branch of state
11 government under AS 24.10.060(f) if the employee's personal services
12 contract provides that the employee is entitled to coverage;

13 * Sec. 4. AS 39.35.680(21) is amended to read:

14 (21) "member" or "employee"

15 (A) means a person eligible to participate in the system and
16 who is covered by the system;

17 (B) includes

18 (i) an active member;

19 (ii) an inactive member;

20 (iii) a vested member;

21 (iv) a deferred vested member;

22 (v) a nonvested [NON-VESTED] member;

23 (vi) a disabled member;

24 (vii) a retired member;

25 (viii) an elected public officer under AS 39.35.381;

26 (C) does not include

27 (i) former members;

28 (ii) persons compensated on a contractual or fee basis;

29 (iii) casual or emergency workers or nonpermanent

30 employees as defined in AS 39.25.200;

31 (iv) persons covered by the Alaska Teachers' Retirement

1 System except as provided under AS 39.35.131 and 39.35.381, or
2 persons covered by the optional university retirement program;

3 (v) employees of the division of marine transportation
4 engaged in operating the state ferry system who are covered by a union
5 or group retirement system to which the state makes contributions;

6 (vi) justices of the supreme court or judges of the court
7 of appeals or of the superior or district courts of Alaska;

8 (vii) the administrative director of courts appointed
9 under art. IV, sec. 16 of the state constitution unless the director
10 becomes a member under AS 39.35.158; [AND]

11 (viii) members of the elected public officers' retirement
12 system (former AS 39.37); and

13 (ix) contractual employees of the legislative branch
14 of state government under AS 24.10.060(f);

15 (D) may include employees of the division of marine
16 transportation excluded under (C)(v) of this paragraph provided that

17 (i) the State of Alaska formally agrees to their inclusion
18 through the process of collective bargaining; and

19 (ii) no collective bargaining agreement has the effect of
20 obligating contributions made by the state under AS 39.30.150 in the
21 event the state resumes participation in the federal social security
22 system;